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*Counsel to the Official Committee of Unsecured Creditors*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

CELSIUS NETWORK LLC, *et al.*,<sup>1</sup>

Debtors.

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Chapter 11

Case No. 22-10964 (MG)

(Jointly Administered)

**EX PARTE MOTION TO EXCEED PAGE LIMIT IN CONNECTION WITH THE  
MOTION OF THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS TO  
(I) CERTIFY THE CLASS OF ACCOUNT HOLDERS ASSERTING NON-CONTRACT  
CLAIMS AGAINST THE DEBTORS, (II) APPOINT THOMAS DIFIORE, REBECCA  
GALLAGHER, AND IGNAT TUGANOV AS THE CLASS REPRESENTATIVES, AND  
(III) APPOINT WHITE & CASE LLP AS CLASS COUNSEL, IN EACH CASE  
PURSUANT TO BANKRUPTCY RULE 7023**

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Celsius Network LLC (2148); Celsius KeyFi LLC (4414); Celsius Lending LLC (8417); Celsius Mining LLC (1387); Celsius Network Inc. (1219); Celsius Network Limited (8554); Celsius Networks Lending LLC (3390); Celsius US Holding LLC (7956); GK8 Ltd. (1209); GK8 UK Limited (0893); and GK8 USA LLC (9450). The location of Debtor Celsius Network LLC's principal place of business and the Debtors' service address in these chapter 11 cases is 50 Harrison Street, Suite 209F, Hoboken, New Jersey 07030.

The Official Committee of Unsecured Creditors (the “**Committee**”) appointed in the chapter 11 cases of the above-captioned debtors and debtors-in-possession (collectively the “**Debtors**”) files this *ex parte* motion (the “**Motion**”) to exceed the page limit set forth in the Chambers’ Rules of the Honorable Martin Glenn (the “**Chambers Rules**”) by 19 pages, for a total of 59 pages (not inclusive of the caption, table of contents, table of authorities, or signature pages), with respect to the *Motion of the Official Committee of Unsecured Creditors to (I) Certify the Class of Account Holders Asserting Non-Contract Claims Against the Debtors, (II) Appoint Thomas DiFiore, Rebecca Gallagher, and Ignat Tuganov as the Class Representatives, and (III) Appoint White & Case LLP as Class Counsel, in Each Case Pursuant to Bankruptcy Rule 7023* (the “**Class Certification Motion**”) and respectfully states as follows:

### **Background**

1. The relevant background information is contained in the Class Certification Motion.

### **Jurisdiction and Venue**

2. The United States Bankruptcy Court for the Southern District of New York (the “**Court**”) has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference from the United States District Court for the Southern District of New York*, entered February 1, 2012. The Committee confirms its consent to the Court entering a final order in connection with this motion to the extent that it is later determined that the Court, absent consent of the parties, cannot enter final orders or judgment in connection herewith consistent with Article III of the United States Constitution.

3. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

**Relief Requested**

4. By this Motion, the Committee respectfully requests the Court's permission to exceed the forty-page limitation set forth in the Chambers' Rules by 19 pages, for a total of 59 pages, excluding exhibits, as set forth in the Proposed Order, attached as Exhibit A hereto.

**Basis for Relief Requested**

5. Pursuant to the *Second Amended Final Order (I) Establish Certain Notice, Case Management, and Administrative Procedures and (II) Granting Relief* ("**Case Management Order**"), motions shall not exceed forty pages in length, except as otherwise permitted by the Court.

6. The Committee's Class Certification Motion addresses extensive and complex legal and factual issues, spanning both domestic and international jurisdictions and requiring significant supporting evidence. Moreover, it requires the Committee to present claims arising out of violations of three state law causes of action and numerous common law causes of action in the United States and the United Kingdom. To fully address the nuances and legal issues raised in the Class Certification Motion and the facts and circumstances both before and after its filing, the Committee respectfully requests the Court's authorization to exceed the forty-page limit set forth in the Case Management Order.

**Notice**

7. The Committee will provide notice of this Motion to the following parties or their respective counsel: (a) the U.S. Trustee; (b) the Debtors; (c) the holders of the 50 largest unsecured claims against the Debtors (on a consolidated basis); (d) the United States Attorney's Office for the Southern District of New York; (e) the Internal Revenue Service; (f) the offices of the attorneys general in the states in which the Debtors operate; (g) the Securities and Exchange Commission;

and (h) any party that has requested notice pursuant to Bankruptcy Rule 2002. The Committee submits that, in light of the nature of the relief requested, no other or further notice need be given.

**No Prior Request**

8. No previous motion for the relief sought herein has been made to this or any other court.

**Conclusion**

WHEREFORE, for the reasons set forth herein, the Committee respectfully requests that the Court: (a) enter an order, substantially in the form of the Proposed Order, attached as **Exhibit A**, granting the relief requested herein.

*[Remainder of page intentionally left blank]*

Dated: May 17, 2023  
New York, New York

Respectfully submitted,

/s/ Aaron E. Colodny

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*Counsel to the Official Committee of  
Unsecured Creditors*

**EXHIBIT A**

**Proposed Order**

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:	)	Chapter 11
CELSIUS NETWORK LLC, <i>et al.</i> , <sup>2</sup>	)	Case No. 22-10964 (MG)
Debtors.	)	(Jointly Administered)

**ORDER GRANTING *EX PARTE* MOTION TO EXCEED PAGE LIMIT IN  
CONNECTION WITH THE MOTION OF THE OFFICIAL COMMITTEE OF  
UNSECURED CREDITORS TO (I) CERTIFY THE CLASS OF ACCOUNT  
HOLDERS ASSERTING NON-CONTRACT CLAIMS AGAINST THE  
DEBTORS, (II) APPOINT THOMAS DIFIORE, REBECCA GALLAGHER, AND  
IGNAT TUGANOV AS THE CLASS REPRESENTATIVES, AND (III) APPOINT  
WHITE & CASE LLP AS CLASS COUNSEL, IN EACH CASE PURSUANT TO  
BANKRUPTCY RULE 7023**

Upon consideration of the *Ex Parte Motion to Exceed Page Limit* (the “**Motion**”) in connection with the *Motion of the Official Committee of Unsecured Creditors to (I) Certify the Class of Account Holders Asserting Non-Contract Claims Against the Debtors, (II) Appoint Thomas DiFiore, Rebecca Gallagher, and Ignat Tuganov as the Class Representatives, and (III) Appoint White & Case LLP as Class Counsel, in Each Case Pursuant to Bankruptcy Rule 7023* (the “**Class Certification Motion**”); and the Court having reviewed the Motion and the relief requested therein; and the Court having found that (a) the Court has jurisdiction to consider the Motion and the relief requested therein pursuant to sections 157 and 1334 of the United States Code, (b) that this is a core proceeding pursuant to section 157(b)(2)(P) of title 28 of the United States Code, (c) that

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<sup>2</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Celsius Network LLC (2148); Celsius KeyFi LLC (4414); Celsius Lending LLC (8417); Celsius Mining LLC (1387); Celsius Network Inc. (1219); Celsius Network Limited (8554); Celsius Networks Lending LLC (3390); Celsius US Holding LLC (7956); GK8 Ltd. (1209); GK8 UK Limited (0893); and GK8 USA LLC (9450). The location of Debtor Celsius Network LLC’s principal place of business and the Debtors’ service address in these chapter 11 cases is 50 Harrison Street, Suite 209F, Hoboken, New Jersey 07030.

venue of this proceeding is proper before this Court pursuant to sections 1408 and 1409 of title 28 of the United States Code, (d) that cause exists to grant the relief requested pursuant to Local Bankruptcy Rule 9077-1(b); and that notice of the Motion was sufficient under the circumstances; and after due deliberation and sufficient cause appearing therefor,

**IT IS HEREBY ORDERED** that:

1. The Motion is granted.
2. The Movants may exceed the forty-page limit set forth in the Case Management Order by 19 pages, for a total of up to 59 pages (in each case, not inclusive of the caption, table of contents, table of authorities, or signature pages).

Dated: \_\_\_\_\_, 2023  
New York, New York

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THE HONORABLE MARTIN GLENN  
CHIEF UNITED STATES BANKRUPTCY JUDGE